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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JANUARY 24, 2001

APPLICATION OF

PATHNET OPERATING OF VIRGINIA, INC.

CASE NO. PUC000197

For certificates of public
convenience and necessity to
provide local exchange and
interexchange telecommunications
services

FINAL ORDER

On September 8, 2000, PATHNET OPERATING OF VIRGINIA, INC.
("PATHNET" or the "Company"), completed an application for
certificates of public convenience and necessity
("certificates") with the State Corporation Commission
("Commission") to provide local exchange and interexchange
telecommunications services throughout the Commonwealth of
Virginia. The Company also requested authority to price its
interexchange telecommunications services on a competitive basis
pursuant to § 56-481.1 of the Code of Virginia.

By Order dated October 11, 2000, the Commission directed
the Company to provide notice to the public of its application,
directed the Commission Staff to conduct an investigation and

file a Staff Report, and scheduled a public hearing to receive evidence relevant to PATHNET's application.

On January 4, 2001, the Staff filed its Report finding that PATHNET's application was in compliance with the Rules Governing the Offering of Competitive Local Exchange Telephone Service ("Local Rules") and the Rules Governing the Certification of Interexchange Carriers ("IXC Rules"). Based upon its review of PATHNET's application, the Staff determined it would be appropriate to grant the Company certificates to provide local exchange and interexchange telecommunications services subject to the following condition: at such time as voice services are initiated by the Company, PATHNET shall comply with all requirements of § C (Conditions for certification) of the Local Rules.

A hearing was conducted on January 17, 2001. At the hearing, the Company's proofs of publication and service, as well as the application, accompanying attachments, the Company's direct testimony, and the Staff Report were entered into the record without objection. No public witnesses appeared.

NOW THE COMMISSION, having considered the application, direct testimony and the Staff Report, finds that the Company should be granted certificates to provide local exchange and interexchange telecommunications services. Having considered

§ 56-481.1, the Commission further finds that the Company may price its interexchange telecommunications services competitively.

Accordingly, IT IS ORDERED THAT:

(1) PATHNET OPERATING OF VIRGINIA, INC., is hereby granted a certificate of public convenience and necessity, No. TT-129A, to provide interexchange telecommunications services subject to the restrictions set forth in the Commission's Rules Governing the Certification of Interexchange Carriers, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(2) PATHNET OPERATING OF VIRGINIA, INC., is hereby granted a certificate of public convenience and necessity, No. T-534, to provide local exchange telecommunications services subject to the restrictions set forth in the Commission's Rules Governing the Offering of Competitive Local Exchange Telephone Service, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(3) The Company shall provide tariffs to the Division of Communications that conform to all applicable Commission rules and regulations.

(4) Pursuant to § 56-481.1 of the Code of Virginia, the Company may price its interexchange telecommunications services competitively.

(5) At such time as voice services are initiated by the Company, PATHNET shall comply with all requirements of § C (Conditions for certification) of the Local Rules.

(6) There being nothing further to come before the Commission, this case shall be dismissed and the papers filed herein placed in the file for ended causes.